

invention. Claims 1-22 have been canceled and new claims 23-43 have been added.

Claims 23-43 recite a method for treating a patient suffering from systemic inflammatory response syndrome or any state corresponding to severe acute attack of an inflammatory pathology causing an exacerbation of cytokine secretion.

Support for new claims 23-43 may be found in original claims 1-22 and generally throughout the specification. Claim 35 is further supported at page 6, line 9 of the present specification, wherein it is disclosed that the second phase of the treatment may be performed with a daily dose of about 0.5 to 2 mg of atomic selenium which corresponds to 0.00625 to 0.025 mg/kg of atomic selenium. It is believed that no new matter has been added to the present application.

Claims 41-43 recite a composition in unit dosage form.

It is respectfully submitted that claims 41-43 are definite to one of ordinary skill in the art. The recitation of a composition in unit dosage form is proper. *In re Wiggins*, 158 USPQ 199, 202 (CCPA 1968). The term "unit dosage form" is a physical recitation distinct from a "daily dose". While a "daily dose" may be practiced in the context of a method, a "unit dosage form" relates to the form and concentration of the composition. While selenium may be a known compound, the selenium in "unit dosage form" of the present invention relates to a distinct composition.

The claimed invention no longer recites a "use of" a selenium containing compound. Furthermore, the contention that claims 16-22 were indefinite has been obviated with the cancellation of those claims. It is respectfully submitted that the rejection of claims 1-22 has been obviated and should not be repeated with respect to any of the claims as they now appear in the case.

In view of the present amendment and the foregoing remarks, therefore, it is believed that the present application is in condition for allowance. Allowance and passage to issue on this basis is respectfully requested.

Respectfully submitted,

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